

II. AMENDMENTS TO THE CLAIMS

1. (currently amended) A recreation, exercise, gymnastic, entertainment and sports training slide for supporting a user, such slide having a base and a top surface to facilitate sliding thereon, said top surface being characterized as having a low friction, durable sheeting layer which enables the user to traverse thereon both when said top surface is wet and dry, said slide wherein means are provided for introducing water to said top surface.
2. (original) The slide of claim 1 wherein said top surface is supported by said base, a portion of which is inclined to facilitate gravity-induced sliding on said top surface.
3. (original) The slide of claim 1 where said top surface is bouncy when traversed thereon by a user.
5. (currently amended) The slide of claim ~~[[1]]~~ 3 wherein said bouncy surface is provided by said base which comprises an air inflatable membrane.
6. (original) The slide of claim 5 further comprising of an air blower for maintaining inflation of said base.
7. (original) The slide of claim 5 wherein said slide is portable such that said air inflatable membrane can be deflated for shipping and inflated on-site for use.

8. (currently amended) The slide of claim [[2]] 1 wherein said low friction, durable sheeting layer comprises sheeting sized to lay upon and substantially fully cover said top surface.

10. (original) The slide of claim 1 wherein said low friction durable sheeting layer comprises a member selected from the group consisting of nylon, Teflon, sailcloth, Dacron, vinyl, artificial turf, synthetic carpet and polyester resins.

16. Cancel

17. (currently amended) The slide of claim [[16]] 1 wherein said means for providing the introduction of water to said top surface comprises a water pump.

88. (original) The slide of claim 1 wherein means are provided for introducing snow and ice to said top surface.

111. INTERVIEW REPORT

Applicant, Applicant's Counsel and Applicant's Expert Witness would like to thank the Examiner for the courtesy extended to them at the interview on Wednesday, July 20, 2005.

At the interview, Applicant's Counsel and Expert Witness presented to the Examiner a two-part PowerPoint demonstration in support of applicant's rejected claims based on the prior art references of Fisher and Jacober cited in the Examiner's office action dated June 6, 2005 being allowable over the prior art references cited. Applicant's Counsel and expert witness presented arguments in support of claims being allowable in two parts as follows:

Part I Applicants claims 1,3 and 5-7 rejected based on Fisher.

The Examiner alleges Fisher discloses the invention as broadly defined in the claims. Examiner is not ignoring the phrase 'low friction' however, there being no degree of friction defined by the Applicant's in the claims, Examiner is of the opinion that fisher defines a low friction device, as a user must be able to slide down the slide. Fisher does define an area of high coefficient of friction, but that area is denoted at 45 as pointed out by the Applicant, and only affects the lower curve as seen in figure 3. With regards to limitations about the bounciness of the Fisher device, the inflatable nature of Fisher will result in some degree of bounciness. An air blower is used to inflate the device, therefore it meets the limitation 'comprising an air blower for maintaining the inflation'.

Regarding Allegation: Applicant's Counsel submitted to the Examiner a draft of amended claim 1 to identify the fields of use of the claimed invention as a recreation, exercise, gymnastic, entertainment and sports training slide. Support for recreation, exercise and sports training slide is set forth in the specification on page 2, at lines 18-21. Support for gymnastics and entertainment slide is set forth in the specification on page 40 at lines 8-12. Applicant's Counsel and Expert Witness are of the opinion Fisher does not anticipate the invention claimed in the present Phillips application.

The Examiner generally agreed with Applicant's Counsel at the interview that a recreational slide field of use is specifically different from an escape slide field of use. However, the Examiner requested applicant further amend claim 1 to recite a structural differentiation between the Phillips slide and an escape slide in order to overcome the Fisher reference within our written response to the Examiners office action. Several examples were put forth as noted in the P.T.O. interview summary.

Conclusion Part I

Applicant agreed with the Examiner to amend claim 1 to identify fields of use and to further amend claim 1 to recite a structural differentiation between Phillips application claim 1 and an escape slide and to include amendment of claim 1 within our written response to office action in order to overcome the prior art reference of Fisher.

Part II Applicant's Claims 1,2,8,10, 16,17 and 88 rejected based on Jacober.

The Examiner alleged Jacober discloses a slide for supporting a user, such slide having a base (16,17) and top surface to facilitate sliding thereon, the top surface being characterized as having a low friction, durable sheeting layer which enables the user to traverse thereon both when the top surface is wet and dry. Referring to claim 2, Jacober teaches the top surface supported by the base, a portion of which is inclined to facilitate gravity-induced sliding on the top surface. Referring to claim 8, Jacober teaches the durable sheeting layer comprising sheeting sized to lay upon and substantially fully cover the top surface. Referring to claim 10, in column 5, lines 28-30, Jacober teaches that the top surface comprises nylon. Referring to claims 16-17, Jacober teaches a water distribution assembly (pump) which serves as a means for introducing water to the top surface. Referring to claim 88, use of the device in sub-zero temperatures would result in snow/ice being introduced to top surface.

Regarding Allegation: Applicant's expert witness showed the Examiner, Jacober teaches away from his invention used dry as claimed in the Phillips application. The expert witness displayed support for his opinion using column 2, lines 5,6,7 and 8, also column 8, lines 3 and 4 and column 8, lines 14 and 15 of the Jacober patents specifications. The expert witness is of the opinion Jacober does not anticipate the invention claimed in the present Phillips application.

The Examiner generally agreed with the expert witness opinion. The Examiner requested applicant include a structural differentiation between the Phillips application claim 1 and a playground slide construction. The Examiner suggested applicant incorporate dependent claim 16 into the Phillips application claim 1 as a structural differentiation.

Conclusion Part II

The Examiner generally agreed with the applicants expert witness that Jacober teaches away from his invention used dry as claimed in the Phillips application. Examiner requested applicant include this argument with its support in applicants written response to the office action. The Examiner requested the Phillips application claim 1 be amended to include a structural differentiation between the Phillips applications claim 1 and a playground slide construction. The Examiner suggested Phillips incorporate dependent claim 16 into the Phillips application independent claim 1 as the structural differentiation.

Conclusion of Part I and II of Interview

At the end of the interview, it was generally agreed in order for applicant to sufficiently overcome the prior art references, applicant must submit within the written response to the Examiners office action, an amended claim 1, identifying field of use and further amend claim 1 to incorporate the dependent claim 16 as the structural differentiation between Phillips application claim 1, an escape slide and a playground slide construction.